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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

OSMAN, RAMY M

ART UNIT PAPER NUMBER

2157

DATE MAILED: 11/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/972,290	Applicant(s) YOSHIZAWA ET AL.	
	Examiner Ramy M. Osman	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-18 and 20-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This communication is responsive to amendment filed May 9, 2005, where applicant cancelled claims 1,19 and added new claims 33,34, applicant also amended claims 2,9,15,20,22,23,32. Claims 2-34 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 2-34 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims objected to because of the following informalities:
4. In line 4 of the respective claims 33,34, change: "which packet" to "in which packet".
5. In line 15 of the respective claims 33,34, change: "packet which action" to "packet, in which action".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 33,34 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Lines 13-14 of the respective claims are unclear. The limitation “a destination addresses representative of at least one destination to which the packet is to be sent from the output port” . It is unclear if the packet is sent from the output port of the instant device, or if the packet is sent from the output port of the destination. Clarification of the limitation is requested.

8. Claim 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Line 9 of the claim is vague as is outlined in the above rejection and is rejected on the same basis.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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10. **Claims 2-18,20-34 rejected under 35 U.S.C. 102(e) as being anticipated by Salim (US Patent No 6,628,653).**

11. As to independent claims 33 and 34, Salim teaches a system and corresponding device for providing information to a stored program operating on a computer coupled to the device connected to a network, the device comprising:

at least one input port for receiving packets of information from a source coupled to the network, which packets include a header and a payload (column 6 lines 25-37 & 55-67);

at least one output port for providing the packets of information from the source to a destination, the computer being coupled to receive the packets of information addressed to the computer from the output port (column 6 line 55 – column 7 line 20);

a flow control table for storing at least the headers of the packets of information, which header includes:

a source addresses representative of at least one source of the packet arriving at the input port (column 14 lines 1-40 and column 15 lines 50-67);

a destination addresses representative of at least one destination to which the packet is to be sent from the output port (column 14 lines 1-40 and column 15 lines 50-67); and

action information for that packet which action information includes at least one reference to the stored program (column 10 lines 15-50 and column 14 lines 1-40); and

wherein, when the action information in the flow control table so specifies, a packet with action information specifying an operation by the computer is forwarded to the computer, and that packet is used in execution of the stored program (column 10 lines 15-50, column 11 lines 10-40 and column 14 lines 10-40).

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12. As to independent claim 15, Salim teaches method for providing information to a stored program operating on a computer coupled to an output port of a device in a network, the method comprising:

providing the information to the network in a format which includes address information to direct the information to the device (column 10 lines 15-50 and column 14 lines 1-40);

in the device, storing a flow control table which has entries which each include source addresses representative of at least one source of information arriving at the device, destination addresses representative of at least one of the destinations to which the arriving information is to be sent from the output port and action information for each destination address (column 14 lines 1-40 and column 15 lines 50-67);

wherein the action information in the flow control table includes at least one program reference, and in response to which the computer coupled to receive information from the output port receives the information addressed to it and uses the received information in execution of the stored program (column 10 lines 15-50, column 11 lines 10-40 and column 14 lines 10-40).

13. As to claims 2,16 and 22, Salim teaches the method as recited in claims 33,15 and 24, wherein the action information includes default priority information used to control information which does not otherwise have an entry in the flow control table (column 14 lines 20-40).

14. As to claim 3,17 and 23, Salim teaches the method as recited in claims 2,15 and 34, wherein the system includes a switch for switching information and a controller coupled to the switch for storing the flow control table and controlling the switch in response thereto (column 15 line 40 – column 16 line 35).

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15. As to claim 4, Salim teaches the method as recited in claim 3, wherein the switch comprises a router and the flow control table is maintained by a controller in the router (column 15 line 40 – column 16 line 35).

16. As to claims 5 and 25, Salim teaches the method as recited in claims 4 and 24, wherein the router controller is itself controlled by a computer (column 15 line 40 – column 16 line 35).

17. As to claims 6 and 26, Salim teaches the method as recited in claims 3 and 23, wherein the router controller manages the flow control table using an applications program interface (column 15 line 40 – column 16 line 35).

18. As to claims 7 and 24, Salim teaches the method as recited in claims 2 and 23, wherein the system comprises an IP router (figure 14).

19. As to claim 8, Salim teaches the method as recited in claim 2, wherein the system comprises an IP switch (figure 13).

20. As to claims 9 and 27, Salim teaches the method as recited in claims 33 and 23, wherein the action information in flow control table is established by an applications program interface which communicates with the system (column 9 lines 35-67).

21. As to claims 10 and 28, Salim teaches the method as recited in claims 9 and 27, wherein the applications program interface employs an argument which includes an 'if' portion for determining the origin of the source of received information, and a then' portion for specifying handling of the received information (column 10 lines 1-45).

22. As to claims 11 and 29, Salim teaches the method as recited in claims 10 and 28, wherein the then portion includes a Reference to the stored program (column 11 lines 9-40).

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23. As to claims 12 and 30, Salim teaches the method as recited in claims 11 and 29, wherein the then portion further includes a parameters to be supplied to the stored program (column 11 lines 9-40).

24. As to claims 13 and 31, Salim teaches the method as recited in claims 11 and 30 , wherein the then portion further includes a location at which the stored program is to be executed (column 11 lines 9-40).

25. As to claims 14,18 and 32, Salim teaches the method as recited in claims 1,17 and 34, wherein the stored program is used to manage a network (column 6 lines 25-60).

26. As to claim 20, Salim teaches a device as in claim 34 wherein the source comprises a source of information coupled to the network (column 6 line 25 – column 7 line 30).

27. As to claim 21, Salim teaches a device as in claim 20 wherein the computer is directly connected to the output port (column 6 line 25 – column 7 line 30).

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M. Osman whose telephone number is (571) 272-4008.

The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
November 22, 2005


ARIO ETIENNE
PRIMARY EXAMINER